

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TROY LYNN SPENCER,

Plaintiff,

v.

DORN SCHUFFMAN, et al.,

Defendants.

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No. 4:04-CV-1094 CAS

MEMORANDUM AND ORDER

Upon review of the Court file, the Court notes there has been no activity in this action since the filing of the return of proof of service upon defendant Dorn Schuffman on July 21, 2005 .

IT IS HEREBY ORDERED that plaintiff shall, within fourteen (14) days of the date of this order, file an appropriate motion for entry of default by the Clerk of the Court under Federal Rule of Civil Procedure 55(a), supported by all necessary affidavits and documentation.

Failure to comply with this order may result in dismissal of the claims against defendant Dorn Schuffman in this matter without prejudice.



**CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE**

Dated this 5th day of December, 2005.